

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Last revised 8/1/15

In Re:

*Marcia Pavlette McPherson*

Case No. *16-30358*

Judge: *RG*

Chapter: *13*

Debtor(s)

*Modified* Chapter 13 Plan and Motions

☐ Original

☒ Modified/Notice Required

☐ Discharge Sought

☐ Motions Included

☐ Modified/No Notice Required

☐ No Discharge Sought

Date: *7-22-19*

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ *571.00* per *month* to the Chapter 13 Trustee, starting on *8/19* for approximately *27* months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☐ Future earnings

☒ Other sources of funding (describe source, amount and date when funds are available):

*Social Security Benefits  
Retirement Pension*

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
US Trustee		\$ 36.00

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Bank of America	Mortgage	32,000.00		\$535.00	\$1554.00

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

<b>d. Secured Claims Unaffected by the Plan</b> The following secured claims are unaffected by the Plan:		
<b>e. Secured Claims to be Paid in Full Through the Plan:</b>		
Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

<b>a. Not separately classified</b> allowed non-priority unsecured claims shall be paid:			
<input type="checkbox"/> Not less than \$ _____ to be distributed <i>pro rata</i>			
<input checked="" type="checkbox"/> Not less than <u>  0  </u> percent			
<input type="checkbox"/> <i>Pro Rata</i> distribution from any remaining funds			
<b>b. Separately classified unsecured claims</b> shall be treated as follows:			
Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:		
Creditor	Nature of Contract or Lease	Treatment by Debtor

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Bank of America
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

**d. Post-Petition Claims**

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 7-22-19

Explain below **why** the plan is being modified:

The secured creditor GM Financial has taken possession of the collateral.

Explain below **how** the plan is being modified:

The plan payment has been reduced to reflect the asset no longer a part of the bankruptcy estate. The plan payment has been reduced to \$511.00 per month.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 7-22-19

Marcia P. Mahersa  
Debtor

Date: \_\_\_\_\_

\_\_\_\_\_  
Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Marcia Paulette McPherson  
 Debtor

Case No. 16-30358-RG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 28

Date Rcvd: Jul 22, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 24, 2019.

db  
 516462592 +Marcia Paulette McPherson, 574 Selfmaster Parkway, Union, NJ 07083-9027  
 516462594 Citi Financial, 13202 US Highway 1, Suite 555, Juno Beach, FL 33408  
 516462593 +Convergent/PSEG Services Corp, 800 SW 39th ST/PO Box 9004, Renton, WA 98057-9004  
 516605646 +Convergent/Sprint, 800 SW 39th ST/PO Box 9004, Renton, WA 98057-9004  
 516462598 Deutsche Bank National Trust Company, c/o Bank of America, PO Box 31785,  
 Tampa, FL 33631-3785  
 516462601 +HSBC Card Services, 2700 Snelling Ave. N. Ste. 250, Roseville, MN 55113-1783  
 516462597 +Progressive Garden State Ins, 725 Canton St, Norwood, MA 02062-2679  
 Verve Cardholder Services, PO Box 8099, Newark, DE 19714-8099

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov Jul 23 2019 00:18:39 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Jul 23 2019 00:18:36 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235

cr +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Jul 23 2019 00:18:00  
 Americredit Financial Services, Inc., d/b/a GM Fin, 4000 Embarcadero Dr.,  
 Arlington, TX 76014-4101

516485548 +E-mail/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM Jul 23 2019 00:18:00  
 Americredit Financial Services, Inc. dba GM Financ, P O Box 183853,  
 Arlington, TX 76096-3853

516657824 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 23 2019 00:22:43  
 Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC,  
 PO Box 41021, Norfolk VA 23541-1021

516462602 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jul 23 2019 00:22:37 Capital One,  
 PO Box 30285, Salt Lake City, UT 84130-0285

516462595 E-mail/PDF: creditonebknofifications@resurgent.com Jul 23 2019 00:23:21 Credit One Bank,  
 PO Box 98873, Las Vegas, NV 89193-8873

516462599 E-mail/Text: bnc-bluestem@quantum3group.com Jul 23 2019 00:19:09 Fingerhut Advantage,  
 PO Box 1250, St. Cloud, MN 56395-1250

516462596 E-mail/Text: bankruptcy@sccompanies.com Jul 23 2019 00:19:30 Ginny's, PO Box 2825,  
 Monroe, WI 53566-8025

516537955 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2019 00:19:30 Ginny's,  
 c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849

516618491 E-mail/PDF: resurgentbknofifications@resurgent.com Jul 23 2019 00:22:14  
 LVNV Funding, LLC its successors and assigns as, assignee of FNB, LLC,  
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587

516629823 +E-mail/Text: bankruptcydpt@mcmcg.com Jul 23 2019 00:18:36 MIDLAND FUNDING LLC,  
 PO BOX 2011, WARREN, MI 48090-2011

516462605 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jul 23 2019 00:18:08 New York & Company,  
 PO Box 182273, Columbus, Ohio 43218-2273

516675800 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jul 23 2019 00:34:24  
 Portfolio Recovery Associates, LLC, c/o Capital One Bank, N.A., POB 41067,  
 Norfolk VA 23541

516530644 E-mail/Text: bnc-quantum@quantum3group.com Jul 23 2019 00:18:23  
 Quantum3 Group LLC as agent for, JH Portfolio Debt Equities LLC, PO Box 788,  
 Kirkland, WA 98083-0788

516537978 E-mail/Text: bnc-quantum@quantum3group.com Jul 23 2019 00:18:23  
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788

516624507 E-mail/Text: bnc-quantum@quantum3group.com Jul 23 2019 00:18:24  
 Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788,  
 Kirkland, WA 98083-0788

516533840 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2019 00:16:20 Stoneberry,  
 c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849

516462600 +E-mail/Text: bankruptcy@sccompanies.com Jul 23 2019 00:16:20 Stoneberry,  
 1356 Williams St., Chippewa Falls, WI 54729-1500

516666336 +E-mail/PDF: gecsed@recoverycorp.com Jul 23 2019 00:22:28 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 20

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

intp Alicia Solomon  
 516497738\* +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,  
 Arlington, TX 76096-3853  
 516529744\* +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,  
 Arlington, TX 76096-3853

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.



District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 28

Date Rcvd: Jul 22, 2019

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 24, 2019

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 22, 2019 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Deutsche Bank National Trust Company as Trustee for the Holders of New Century Home Equity Loan Trust, Series 2005-A, Asset Backed Pass-Through Certificates dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
John R. Morton, Jr. on behalf of Creditor Americredit Financial Services, Inc., d/b/a GM Financial ecfmail@mortoncraig.com, mortoncraigecf@gmail.com  
Marie-Ann Greenberg magecf@magtrustee.com

TOTAL: 3